

Appl. No. 10/604,644
Amdt. dated June 27, 2005
Reply to Office action of March 29, 2005

REMARKS

1. Claim amendments:

- 5 New claims 21 and 22 are introduced to explicitly recite that the thresholds can be of different values. These new claims are fully supported by the original claims and by the disclosure as a whole. No new matter is entered.
- 10 Consideration of new claims 21 and 22 is respectfully requested in view of the arguments made in the following sections.

2. Rejection of claims 1-4, 6-10, 12-14, 16, and 19 under 35 U.S.C. 103(a) as being unpatentable over Cohen (US 2003/0220721):

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Regarding claim 1:

- According to MPEP 2141.02, the prior art must be considered in its entirety, including disclosures that teach away from the
- 20 claims.

Please note that in all claims, except claims 6 and 12, the first and second thresholds are not recited as equal.

- 25 Cohen is fundamentally concerned with user comfort (paragraph 0007, lines 1-5). Therefore, Cohen understandably teaches only one temperature threshold (col. 0023, lines 4-9), namely, "a lower temperature to enhance the user's desired comfort level".

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There is no suggestion in Cohen for a "first threshold" and a "second threshold," as claimed, since naturally a user is either comfortable or uncomfortable. If there are multiple levels of user comfort, Cohen does not suggest what these could be. One
5 of ordinary skill in the art would have no motivation to add a second threshold to Cohen. Therefore, the applicant argues that the claimed "first threshold" and "second threshold" are not obvious in view of the modified Cohen when Cohen's teachings are considered as a whole.

10 Furthermore, in many systems, and particularly in laptop computers such as that of Cohen, the CPU is the primary source of heat (see Cohen's paragraph 0023, lines 10-19). In laptop computers, VGA chipsets (as claimed) tend to generate less heat
15 than CPUs. Since Cohen is concerned with user comfort, Cohen does not suggest that his cooling system can be adapted to other, non-primary heat sources such as a VGA chipset. In fact, adapting Cohen's cooling system to a non-primary source of heat would most likely result in sluggish response, and thus, user discomfort.
20 Therefore, the applicant argues that the modification of Cohen lacks motivation when considering Cohen's teachings as a whole. Moreover, Cohen acknowledges the CPU as the defining source of heat in a laptop and essential to user comfort, and hence, teaches against measuring a different source of heat.

25 In summary, the applicant argues that modifying Cohen to have more than one temperature threshold is not sufficiently motivated, the claimed invention reciting two or three

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temperature thresholds. This is because Cohen is primarily concerned with user comfort, and does not provide adequate guidance to one of ordinary skill in the art to establish more than one temperature threshold while still retaining user
5 comfort. In addition, since Cohen recognizes that the main source of heat in a laptop computer is a CPU, applying Cohen's teachings to a typically lesser source of heat, such as the claimed VGA chipset, runs against Cohen's own teachings in that user comfort would likely be reduced.

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Regarding claim 2:

See arguments for claim 1 above.

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Regarding claim 3:

It must be again mentioned that Cohen does not suggest multiple thresholds and that Cohen's concern about user comfort does not lend itself to multiple thresholds. The applicant argues that
20 the motivation mentioned by the Examiner, "since more thresholds would provide better cooling monitoring," does not consider Cohen's disclosure as a whole, and particularly does not take into account user comfort. Therefore, there is no motivation to modify Cohen to have more than one threshold.

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Regarding claims 4 and 6-10:

See arguments for claims 1 and 3 above.

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Regarding claims 12-14, 16, and 19:

See arguments for claims 1 and 3 above.

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Reconsideration of claims 1-4, 6-10, 12-14, 16, and 19 is respectfully requested in view of the arguments made above. Claims 2-4, 6, 8-10, 12, 14, 16, 19, 21, and 22 are dependent and should be allowed if independent claims 1, 7, and 13 are
10 allowed.

3. Rejection of claims 5, 11, 15, and 17-18 under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Schumann et al. (US 6,006,168):

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Reconsideration of claims 5, 11, 15, and 17-18 is respectfully requested in view of the arguments made in Section 2 above. Claims 5, 11, 15, and 17-18 are dependent and should be allowed if independent claims 1, 7, and 13 are allowed.

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4. Rejection of claim 20 under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Suzuki et al. (US 6,134,667):

Reconsideration of claim 20 is respectfully requested in view
25 of the arguments made in Section 2 above. Claim 20 is dependent and should be allowed if independent claim 13 is allowed.

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Respectfully submitted,



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